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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,436	07/01/1999	THEODORE W. HOUSTON	TI-21004	2434

23494 7590 05/20/2002

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EXAMINER

KIELIN, ERIK J

ART UNIT	PAPER NUMBER
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2813

DATE MAILED: 05/20/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

09 / 346436



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <i>Qm</i>
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EXAMINER
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Commissioner of Patents and Trademarks

Art Unit: 2813

**NOTIFICATION OF NON-COMPLIANCE WITH  
THE REQUIREMENTS OF 37 CFR 1.192(c)**

The Supplemental Appeal Brief is defective for stating, "...all claims have been canceled with the exceptions of claims 9 and 22 which remain on appeal..." in the first paragraph of the Supplemental Appeal Brief, Paper No. 19, filed 4/5/02. There has been no amendment provided by Applicant, or otherwise approved by the Office, to indicate that the other claims have been "cancelled." In the Reply Brief, filed 10/18/01, Appellant stated, "In reply to the Examiner's Answer, the appeal is dropped with reference to claims 1, 3, 7, 8, 18-21, 23, and 24, all of the appealed claims with the exception of claims 9 and 22." No mention was made of claims 2 and 4, which are also still active in the instant application.


Accordingly, the indication of claims pending in the application is uncertain because it is unclear if, in fact, claims 1, 3, 7, 8, 18-21, 23, and 24 are canceled. Further, the Supplemental Appeal Brief in response to this Office Action must either address claims 2 and 4 or be accompanied by an amendment canceling claims 2 and 4.

Any inquiry concerning this communication from examiner should be directed to Erik Kielin whose telephone number is (703) 306-5980 and e-mail address is erik.kielin@uspto.gov. The examiner can normally be reached by telephone on Monday through Thursday 9:00 AM until 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri, can be reached at (703) 306-2794 or by e-mail at olik.chaudhuri@uspto.gov. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications..

  
EK

May 17, 2002

  
OLIK CHAUDHURI  
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